

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**James Harry Hodson, III,  
Petitioner,**

:

vs.

:

C.A. No. 05-92 Erie

**Marilyn Brooks,  
Respondents,**

:

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2006, upon consideration of the within motion, the Order granting an evidentiary hearing is vacated and the hearing scheduled for October 11, 2006, at 10:00 a.m. is cancelled.

**BY ORDER OF THE COURT,**

\_\_\_\_\_  
**J.**